

TESTIMONY OF SAM RAY

ON

THE DEPARTMENT OF ENERGY'S PROPOSED RULE
"GUIDELINES FOR PHYSICIAN PANEL
DETERMINATIONS OF WORKER REQUESTS FOR
ASSISTANCE IN
FILING FOR STATE WORKERS' COMPENSATION
BENEFITS"

RADISSON HOTEL CINCINNATI AIRPORT

OCTOBER 25, 2001

Sam Ray

I am Sam Ray, a former enrichment worker at the Portsmouth Gaseous Diffusion plant. I was hired in 1954 and worked as a Production Process Operator and Instrument Mechanic.

In May of 1994, I was diagnosed with a rare type of bone cancer: chondrosarcoma. As a result, I had to have my larynx removed. At this point, I had no option but to take a disability retirement. It is well documented that certain uranium compounds are bone seekers. I might add, I have never smoked a day in my life.

But I am not here today to talk about myself. I am here to express my concern on the proposed rules that DOE published on September 7. In my opinion, DOE is trying to circumvent the original intent of the language and in so doing, is making it more difficult for a worker to establish a state claim.

There are many problems in the proposed rules and I realize I do not have time to go into each and every one. I will limit my testimony to one area; What is a toxic substance?

The original language (section 852.2) defines toxic substance as "any material that has the potential to cause illness or death because of it's radioactive, chemical or biological nature." This language should remain as it is. DOE is attempting to narrow the definition of "Toxic Substance" And in so doing would eliminate many workers from filing a state claim.